

PROOF OF SERVICE BY MAIL

I, Beth Feinberg, the undersigned, say:

I am over the age of eighteen years and not a party to the within action or proceedings; my business address is Van Der Hout, Brigagliano & Nightingale, LLP, 180 Sutter Street, Fifth Floor, San Francisco, CA 94104.

On May 17, 2007, I caused to be served the within:

NOTICE OF VOLUNTARY DISMISSAL

on the opposing counsel by depositing one copy thereof, enclosed in a sealed envelope with postage fully pre-paid, in a mailbox regularly maintained by the United States Postal Service at San Francisco, California, addressed as follows:

Civil Process Clerk
Office of the U.S. Attorney
Northern District of California
450 Golden Gate Avenue,
Box 36055
San Francisco, CA 94102

David Sepulveda
Facility Commander
Santa Clara County Jail
Main Jail Administrative Office
150 West Hedding St.
San Jose, CA 95110

Executed on May 17, 2007, at San Francisco, California. I declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct.

/s/

Beth Feinberg
Declarant